

¹ During the pendency of this action, Carolyn W. Colvin became the Acting Commissioner of Social Security. Accordingly, Colvin is hereby substituted as the Defendant herein. 42 U.S.C. § 405(q); Fed. R. Civ. P. 25(d).

captioned action and to submit to this Court a recommendation for the disposition of these motions.

On February 28, 2013, the Magistrate Judge filed a Memorandum and Recommendation regarding the motions. [Doc. 15]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Memorandum and Recommendation, the Court finds that the proposed conclusions of law stated therein are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the Court remand this action for further proceedings.

IT IS, THEREFORE, ORDERED that the Magistrate Judge's Memorandum and Recommendation [Doc. 15] is **ACCEPTED**, and the Plaintiff's Motion for Judgment on the Pleadings [Doc. 10] is **GRANTED** to the extent that the Plaintiff seeks a reversal of the Commissioner's decision. To the extent that the Plaintiff seeks an immediate award of benefits, the Plaintiff's Motion [Doc. 10] is **DENIED**.

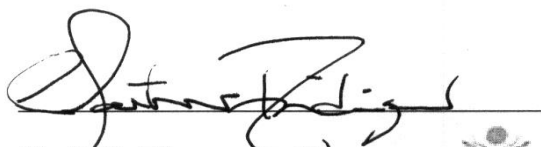
IT IS FURTHER ORDERED that the Defendant's Motion for Summary Judgment [Doc. 14] is **DENIED**.

IT IS FURTHER ORDERED that, pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the decision of the Commissioner under Sentence Four of 42 U.S.C. § 405(g), the decision of the Commissioner is **REVERSED**, and this case is hereby **REMANDED** to the Commissioner for further administrative action consistent with this Order.

A judgment shall be entered simultaneously herewith.

IT IS SO ORDERED.

Signed: March 20, 2013


Martin Reidinger
United States District Judge

